

ESTTA Tracking number: **ESTTA658382**

Filing date: **02/27/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	One Jeanswear Group Inc.		
Entity	Corporation	Citizenship	New York
Address	1441 Broadway New York, NY 10018 UNITED STATES		

Attorney information	Nancy Dodderidge Nine West Holdings Inc. 1411 Broadway New York, NY 10018 UNITED STATES Ndodderidge@jny.com Phone:212 777-9728		
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Applicant Information

Application No	86204378	Publication date	02/17/2015
Opposition Filing Date	02/27/2015	Opposition Period Ends	03/19/2015
Applicant	The Global DR Group LLC Suite 200 Doral, FL 33172 UNITED STATES		

Goods/Services Affected by Opposition

Class 025. First Use: 2014/03/31 First Use In Commerce: 2014/03/31
All goods and services in the class are opposed, namely: Bottoms; Jeggings, namely, pants that are partially jeans and partially leggings; Pants; Stretch pants

Grounds for Opposition

Deceptiveness	Trademark Act section 2(a)
False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition


U.S. Registration No.	2326186	Application Date	02/23/1999
Registration Date	03/07/2000	Foreign Priority Date	NONE
Word Mark	L.E.I.		


Design Mark	L.E.I.
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1990/07/00 First Use In Commerce: 1990/07/00 Apparel, namely, jeans, shirts, jackets, vests, pants, sweaters, [jump-suits,] shorts, skorts, [overalls, shortalls,] dresses, skirts, T-shirts, and sweatpants

U.S. Registration No.	2402788	Application Date	02/23/1999
Registration Date	11/07/2000	Foreign Priority Date	NONE
Word Mark	L.E.I.		
Design Mark	L.E.I.		
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1989/11/01 First Use In Commerce: 1989/11/01 Clothing, namely, tops, bottoms, lingerie, and footwear		


U.S. Registration No.	3664832	Application Date	07/17/2008
Registration Date	08/04/2009	Foreign Priority Date	NONE
Word Mark	L.E.I.		
Design Mark	L.E.I.		
Description of Mark	NONE		
Goods/Services	Class 014. First use: First Use: 2009/01/06 First Use In Commerce: 2009/01/06 Jewelry		


U.S. Registration No.	3696844	Application Date	08/14/2008
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Registration Date	10/13/2009	Foreign Priority Date	NONE
Word Mark	L.E.I.		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2009/01/31 First Use In Commerce: 2009/01/31 Loungewear; Pajamas; Sleepwear		

U.S. Registration No.	3689398	Application Date	04/13/2009
Registration Date	09/29/2009	Foreign Priority Date	NONE
Word Mark	L.E.I.		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 018. First use: First Use: 2000/01/01 First Use In Commerce: 2000/01/01 Handbags		

U.S. Registration No.	3883863	Application Date	07/30/2009
Registration Date	11/30/2010	Foreign Priority Date	NONE
Word Mark	L.E.I.		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2009/10/31 First Use In Commerce: 2009/10/31 Leggings; Socks; Tights

U.S. Registration No.	4279967	Application Date	07/26/2012
Registration Date	01/22/2013	Foreign Priority Date	NONE
Word Mark	L.E.I.		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2009/04/30 First Use In Commerce: 2009/04/30 Eyewear		

U.S. Registration No.	3153788	Application Date	10/31/2005
Registration Date	10/10/2006	Foreign Priority Date	NONE
Word Mark	L.E.I. LIFE ENERGY INTELLIGENCE		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1996/01/01 First Use In Commerce: 1996/01/01 Footwear; Jackets; Jeans; Lingerie; Pants; [Shirts;] Shorts; Skirts; Vests

U.S. Registration No.	3765027	Application Date	01/30/2009
Registration Date	03/23/2010	Foreign Priority Date	NONE

Word Mark	L.E.I. [365]
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 025. First use: First Use: 2009/07/07 First Use In Commerce: 2009/07/07 Bottoms; Tops
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U.S. Registration No.	3775993	Application Date	01/30/2009
Registration Date	04/13/2010	Foreign Priority Date	NONE

Word Mark	L.E.I.[365] LIFE ENERGY INTELLIGENCE
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Design Mark	
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Description of Mark	NONE
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Goods/Services	Class 025. First use: First Use: 2009/07/07 First Use In Commerce: 2009/07/07 Bottoms; Tops
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U.S. Registration No.	3776004	Application Date	02/03/2009
Registration Date	04/13/2010	Foreign Priority Date	NONE

Word Mark	L.E.I. [365] LIFE ENERGY INTELLIGENCE
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Design Mark	
Description of Mark	The mark consists of the initials "L.E.I." with the number "365" in parentheses under the initial "I", encircled by the words "LIFE ENERGY INTELLIGENCE".
Goods/Services	Class 025. First use: First Use: 2009/07/07 First Use In Commerce: 2009/07/07 Bottoms; Tops

Attachments	75648417#TMSN.png(bytes) 75646379#TMSN.png(bytes) 77524494#TMSN.png(bytes) 77547108#TMSN.png(bytes) 77712439#TMSN.png(bytes) 77793499#TMSN.png(bytes) 85687284#TMSN.png(bytes) 78743570#TMSN.png(bytes) 77659922#TMSN.png(bytes) 77659929#TMSN.png(bytes) 77662370#TMSN.png(bytes) LEJEANS Notice of Opposition.pdf(97457 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/nancy dodderidge/
Name	Nancy Dodderidge
Date	02/27/2015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 86-204,378
For the Mark: LEJEANS (Stylized)

_____)	
One Jeanswear Group Inc.,)	Opposition No. _____
)	
Opposer,)	
)	
v.)	
)	
The Global Dr Group LLC,)	
)	
Applicant.)	
_____)	

NOTICE OF OPPOSITION

One Jeanswear Group Inc. (“OJG” or “Opposer”) believes it will be damaged by registration of the mark LEJEANS by applicant The Global Dr Group LLC (“Applicant”) in Class 25 as applied for in Application Serial No. 86/204,378 and hereby opposes the same on the following grounds:

1. OJG is a corporation organized and existing under the laws of the State of New York, with its principal place of business at 1441 Broadway, New York, New York 10018.

2. OJG is a well-known manufacturer, distributor and retailer of women’s apparel and related accessories. OJG designs and markets a broad array of apparel products, including jeans wear, pants and leggings under the L.E.I. brand and mark.

3. OJG is the owner of, *inter alia*, the following trademark registrations and applications, collectively, the “LEI Marks”:

#	Mark	Reg. No./App. No.	Reg. Date/App Date	Goods/Services
1	L.E.I.	2,402,788	11/07/00	Clothing, namely, tops, bottoms, lingerie, and footwear
2	L.E.I.	3,883,863	11/30/2010	Leggings, socks, tights
3	L.E.I.	3,689,398	09/29/2009	Handbags
4	L.E.I.	85,490,418	12/8/2011	Cosmetics, fragrances
5	L.E.I.	85,616,675	5/4/2012	Eyeglasses
6	L.E.I. LIFE ENERGY INTELLIGENCE	3,153,788	10/10/2006	Footwear, jackets, jeans, lingerie, pants, shorts, skirts, vests
7	L.E.I. [365] LIFE ENERGY INTELLIGENCE	3,776,004	4/13/2010	Bottoms, tops
8	L.E.I. [365] LIFE ENERGY INTELLIGENCE	3,775,993,	4/13/2010	Bottoms, tops
9	L.E.I. [365]	3,765,027	3/23/2010	Bottoms, tops

4. OJG’s rights in the LEI Marks have priority dating back at least as early as 1996, nineteen years prior to the February 26, 2014 filing date of the subject application. OJG continuously has used and currently is using the LEI Marks in the United States on or in connection with a wide variety of apparel, accessories and other goods.

5. OJG, its predecessors-in-interest, related companies and licensees have exercised great care, skill, and diligence in providing clothing in connection with OJG's well-known LEI Marks.

6. OJG and its predecessors-in-interest, related companies and licensees, have marketed and otherwise promoted its products bearing the LEI Marks for many years. As a result, Opposer has developed substantial consumer recognition and valuable goodwill in its LEI Marks.

7. On information and belief, Applicant is a Florida Limited Liability Company with an address of Suite 200, 8900 NW 33rd Street, Doral, Florida 33172.

8. On February 26, 2014, Applicant filed the application at issue seeking to register the mark LEJEANS (Stylized) for "bottoms; jeggings, namely pants that are partially jeans and partially leggings; pants; stretch pants" in International Class 25 which has been assigned Serial No. 85,204,378 (the "Application").

9. Applicant's mark LEJEANS as used and registered in connection with Class 25 goods so resembles OJG's LEI Marks as to be likely to cause confusion or mistake or to deceive.

10. Because of the close similarity of the marks and the identity of the class 25 goods of the respective parties, Applicant's use of LEJEANS for the aforementioned class 25 goods likely will result in consumer confusion as to source, affiliation, connection or association with

Jones. As such, Applicant's mark is not entitled to registration of the mark for class 25 goods pursuant to 15 U.S.C. § 1052(d).

11. OJG believes it will be damaged by the registration sought herein of Applicant's proposed mark for class 25 goods within the meaning of 15 U.S.C. § 1063(a).

12. This opposition is timely filed.

13. This Notice of Opposition is being filed electronically, along with a filing fee of \$300.00.

WHEREFORE, OJG requests that the registration sought by Applicant be refused, that the Notice of Opposition be sustained, and that the Trademark Trial and Appeal Board grant such other relief as it deems just and proper.

Dated: February 27, 2015

Respectfully submitted,

ONE JEANSWEAR GROUP INC.

By: /nancy dodderidge/
Nancy Dodderidge
Assistant General Counsel

Please address all correspondence to:

Katherine Blaukopf
Nine West Holdings, Inc.